

CITY OF NORTHAMPTON

MASSACHUSETTS

In City Council, **October 5, 2006**

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Upon the recommendation of City Clerk, Wendy Mazza

Ordered, that meeting of the qualified voters of the City of Northampton will be held on Tuesday, November 7, 2006, in the several polling places designated for the purpose by the City Council, as follows:

WARD 1, Precinct A - In Jackson Street School Auditorium
WARD 1, Precinct B - In Jackson Street School Auditorium
WARD 2, Precinct A - In Smith Vocational-Agricultural High School
WARD 2, Precinct B - In Smith Vocational-Agricultural High School
WARD 3, Precinct A - In the Walter Salvo House, 81 Conz Street
WARD 3, Precinct B - In the Walter Salvo House, 81 Conz Street
WARD 4, Precinct A - In Joseph H. McDonald House
WARD 4, Precinct B - In Joseph H. McDonald House
WARD 5, Precinct A - In Florence Civic and Business Building, 90 Park Street
WARD 5, Precinct B - In Smith Vocational-Agricultural High School
WARD 6, Precinct A - In Robert K. Finn Ryan Road School
WARD 6, Precinct B - In Robert K. Finn Ryan Road School
WARD 7, Precinct A - In John F. Kennedy Middle School, Community Room
WARD 7, Precinct B - In Leeds School Gymnasium

The polls will be opened at seven o'clock in the forenoon and closed at eight o'clock in the evening of the said day, and all such members will in the several wards and precincts in which they are individually entitled to vote, between said hours give in their votes for Senator in Congress, for Governor and Lieutenant Governor, for Attorney General, for Secretary of State, for Treasurer, for Auditor, for Representative in Congress for the Second Congressional District, for Councillor for the Eighth District, for Senator in General Court for the Hampshire & Franklin District, for Representative in General Court for the First Hampshire District, for District Attorney for the Northwestern District, for Clerk of Courts for Hampshire County, and for Register of Deeds for the Hampshire District.

They will also give in their votes "Yes" or "No" on the following questions:

Page 2

Question #1 - Sale of Wine by Food Stores

Question #2 - Nomination of Candidates for Public Office

Question #3 - Family Child Care Providers

Question #4 - Non-Binding - Shall the state representative from this district be instructed to vote in favor of a resolutions calling upon the President and Congress of the United States to end the war in Iraq immediately and bring all United States military forces home from Iraq?

Question #5 - Non-Binding - Shall the state representative from this district be instructed to introduce and vote in favor of a resolution asking Congress to call a federal constitutional convention in order to propose a constitutional amendment providing for two United States Senators and full representation in United States House of Representatives for the citizens of Washington, D.C.?

QUESTION 1: Law Proposed by Initiative Petition

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 3, 2006?

SUMMARY

This proposed law would allow local licensing authorities to issue licenses for food stores to sell wine. The proposed law defines a "food store" as a retail vendor, such as a grocery store, supermarket, shop, club, outlet, or warehouse-type seller, that sells food to consumers to be eaten elsewhere (which must include meat, poultry, dairy products, eggs, fresh fruit and produce, and other specified items), and that may sell other items usually found in grocery stores. Holders of licenses to sell wine at food stores could sell wine either on its own or together with any other items they sell. The licensing authorities in any city or town of up to 5000 residents could issue up to 5 licenses for food stores to sell wine. In cities or towns of over 5000 residents, one additional license could be issued for each additional 5000 residents (or fraction of 5000). No person or business could hold more than 10% of the total number of the licenses that could be issued under the proposed law. Such licenses would not be counted when applying the laws that limit the number of other kinds of alcoholic beverage licenses that may be issued or held. Any applicant for a license would have to be approved by the state Alcoholic Beverages Control Commission, and any individual applicant would have to be at least 21 years old and not have been convicted of a felony.

In issuing any licenses for food stores to sell wine, local licensing authorities would have to use the same procedures that apply to other licenses for the retail sale of alcoholic beverages. Except where the proposed law has different terms, the same laws that apply to issuance, renewal, suspension and termination of licenses for retail sales of alcoholic beverages which are not to be consumed on the seller's premises, and that apply to the operations of holders of such licenses, would govern licenses to sell wine at food stores, and the operation of holders of such licenses. Local authorities could set fees for issuing and renewing such licenses.

A YES VOTE would create a new category of licenses for food stores to sell wine, and it would allow local licensing authorities to issue such licenses.

A NO VOTE would make no change in the laws concerning the sale of wine.

QUESTION 2: Law Proposed by Initiative Petition

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 3, 2006?

SUMMARY

This proposed law would allow candidates for public office to be nominated by more than one political party or political designation, to have their names appear on the ballot once for each nomination, and to have their votes counted separately for each nomination but then added together to determine the winner of the election.

The proposed law would repeal an existing requirement that in order to appear on the state primary ballot as a candidate for a political party's nomination for certain offices, a person cannot have been enrolled in any other party during the preceding year. The requirement applies to candidates for nomination for statewide office, representative in Congress, governor's councillor, member of the state Legislature, district attorney, clerk of court, register of probate, register of deeds, county commissioner, sheriff, and county treasurer. The proposed law would also allow any person to appear on the primary ballot as a candidate for a party's nomination for those offices if the party's state committee gave its written consent. The proposed law would also repeal the existing requirement that in order to be nominated to appear as an unenrolled candidate on the state election ballot, or on any city or town ballot following a primary, a person cannot have been enrolled in any political party during the 90 days before the deadline for filing nomination papers.

The proposed law would provide that if a candidate were nominated by more than one party or political designation, instead of the candidate's name being printed on the ballot once, with the candidate allowed to choose the order in which the party or political designation names appear after the candidate's name, the candidate's name would appear multiple times, once for each nomination received. The candidate would decide the order in which the party or political designation nominations would appear, except that all parties would be listed before all political designations. The ballot would allow voters who vote for a candidate nominated by multiple parties or political designations to vote for that candidate under the party or political designation line of their choice.

If a voter voted for the same candidate for the same office on multiple party or political designation lines, the ballot would remain valid but would be counted as a single vote for the candidate on a line without a party or political designation. If voting technology allowed, voting machines would be required to prevent a voter from voting more than the number of times permitted for any one office.

The proposed law would provide that if a candidate received votes under more than one party or political designation, the votes would be combined for purposes of determining whether the candidate had won the election. The total number of votes each candidate received under each party or political designation would be recorded. Election officials would announce and record both the aggregate totals and the total by party or political designation.

The proposed law would allow a political party to obtain official recognition if its candidate had obtained at least 3% of the vote for any statewide office at either of the two most recent state elections, instead of at only the most recent state election as under current law.

The proposed law would allow a person nominated as a candidate for any state, city or town office to withdraw his name from nomination within six days after any party's primary election for that office, whether or not the person sought nomination or was nominated in that primary. Any candidate who withdrew from an election could not be listed on the ballot for that election, regardless of whether the candidate received multiple nominations.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would allow a candidate for public office to be nominated for the same office by more than one political party or political designation at the same election.

A NO VOTE would make no change in the laws concerning nomination of candidates for public office.

QUESTION 3: Law Proposed by Initiative Petition

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 3, 2006?

SUMMARY

This proposed law would allow licensed and other authorized providers of child care in private homes under the state's subsidized child care system to bargain collectively with the relevant state agencies about all terms and conditions of the provision of child care services under the state's child care assistance program and its regulations.

Under the proposed law, these family child care providers who provide state-subsidized child care would not be considered public employees, but if 30% of the providers gave written authorization for an employee organization to be their exclusive representative in collective bargaining, the state Labor Relations Commission would hold a secret mail ballot election on whether to certify that organization as the exclusive representative. Parts of the state's public employee labor relations law and regulations would apply to the election and collective bargaining processes. The proposed law would not authorize providers to engage in a strike or other refusal to deliver child care services.

An exclusive representative, if certified, could then communicate with providers to develop and present a proposal to the state agencies concerning the terms and conditions of child care provider services. The proposed law would then require the parties to negotiate in good faith to try to reach a binding agreement. If the agreed-upon terms and conditions required changes in existing regulations, the state agencies could not finally agree to the terms until they completed the required procedures for changing regulations and any cost items agreed to by the parties had been approved by the state Legislature. If any actions taken under the proposed law required spending state funds, that spending would be subject to appropriation by the Legislature. Any complaint that one of the parties was refusing to negotiate in good faith could be filed with and ruled upon by the Labor Relations Commission. An exclusive representative could collect a fee from providers for the costs of representing them.

An exclusive representative could be de-certified under Commission regulations and procedures if certain conditions were met. The Commission could not accept a decertification petition for at least 2 years after the first exclusive representative was certified, and any such petition would have to be supported by 50% or more of the total number of providers. The Commission would then hold a secret mail ballot election for the providers to vote on whether to decertify the exclusive representative.

The proposed law states that activities carried out under it would be exempt from federal anti-trust laws. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would allow licensed and other authorized providers of child care in private homes under the state's subsidized child care system to bargain collectively with the state.

A NO VOTE would make no change in the laws concerning licensed and other authorized family child care providers.

**QUESTION 4 OR 5 DEPENDING ON DISTRICT
THIS QUESTION IS NOT BINDING**

Shall the state representative from this district be instructed to vote in favor of a resolution calling upon the President and Congress of the United States to end the war in Iraq immediately and bring all United States military forces home from Iraq?

- 4th Barnstable Representative District (#4, Except Orleans, #5)
- 1st Berkshire Representative District (#4)
- 2nd Berkshire Representative District (#4 Except Pittsfield, Wd. 1, Pct. B, #5)
- 1st Essex Representative District (#4)
- 5th Essex Representative District (#4)
- 1st Franklin Representative District (#4)
- 2nd Franklin Representative District (#4)
- 1st Hampden Representative District (#4, Except Palmer, #5)
- 2nd Hampden Representative District (#4, Except Monson, #5)
- 3rd Hampden Representative District (#4)
- 5th Hampden Representative District (#4)
- 6th Hampden Representative District (#4)
- 8th Hampden Representative District (#4)
- 1st Hampshire Representative District (#4, Except Hatfield, #5)
- 2nd Hampshire Representative District (#4)
- 3rd Hampshire Representative District (#4, Except Amherst, #5)
- 5th Middlesex Representative District (#4, Except Millis Pct. 2 & 3, #5)
- 9th Middlesex Representative District (#4, Except Lexington, Pct. 3 & Waltham, #5)
- 10th Middlesex Representative District (#4, Except Waltham, #5)
- 11th Middlesex Representative District (#4)
- 12th Middlesex Representative District (#4)
- 15th Middlesex Representative District (#4, Except Lexington, Pct., 8 & 9, #5)
- 20th Middlesex Representative District (#4)
- 23rd Middlesex Representative District (#4)
- 24th Middlesex Representative District (#4)
- 27th Middlesex Representative District (#4)
- 29th Middlesex Representative District (#4)
- 13th Norfolk Representative District (#4)
- 15th Norfolk Representative District (#4, Except Brookline, Pct. 2-4 & 6-13, #5)
- 3rd Plymouth Representative District (#4, Except Hingham & Hull, #5)
- 8th Plymouth Representative District (#4)
- 2nd Suffolk Representative District (#4)
- 4th Suffolk Representative District (#4)
- 15th Suffolk Representative District (#4, Except Brookline Pct 5, #5)
- 1st Worcester Representative District (#4, Except Hubbardston, #5)
- 2nd Worcester Representative District (#4)

QUESTION 5 OR 6
THIS QUESTION IS NOT BINDING

Shall the state representative from this district be instructed to introduce and vote in favor of a resolution asking Congress to call a federal constitutional convention in order to propose a constitutional amendment providing for two United States Senators and full representation in the United States House of Representatives for the citizens of Washington, D.C.?

- 1st Hampshire Representative District (#5, Except Hatfield, #6)